

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MAJOR MARGARET WITT,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
THE AIR FORCE, et al.,

Defendants.

No. C06-5195 RBL

**ORDER GRANTING THE PARTIES'
JOINT MOTION FOR RELIEF FROM
JUDGMENT**

This matter having come before the Court on the Parties' Joint Motion for Relief from Judgment, and the Court having considered that motion and finding good cause to grant the relief sought,

IT IS HEREBY ORDERED that the motion is GRANTED;

IT IS FURTHER ORDERED that the final sentence of the September 24, 2010 Judgment (Docket #166), which reads "She should be restored to her position as a Flight Nurse with the 446th AES as soon as is practicable, subject to meeting applicable regulations touching upon qualifications necessary for continued service" is hereby AMENDED to read as follows: "She should be reinstated to the Air Force Reserve as soon as is practicable, subject to meeting applicable regulations touching upon qualifications necessary for continued service."

1 IT IS FURTHER ORDERED that the September 24, 2010 Judgment (Docket #166) is
2 SUPPLEMENTED with the following text, "By virtue of a settlement agreement among the
3 parties, Major Margaret Witt has received retirement credits and will transfer to the Retired
4 Reserve. Nothing about the parties' settlement agreement or the amended and supplemented
5 court order adversely affects Major Margaret Witt's ability to claim attorney's fees, costs, or
6 other expenses as a result of this litigation."

7
8 Dated this 11th day of October, 2011


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

11 Presented by

12
13 /s/ James E. Lobsenz
14 JAMES E. LOBSENZ, WSBA #8787
15 CARNEY BADLEY SPELLMAN
16 701 5th Avenue, Suite 3600
Seattle, WA 98104-7010
Tel: (206) 622-8020
E-mail: lobsenz@carneylaw.com

TONY WEST
Assistant Attorney General

VINCENT M. GARVEY
Deputy Branch Director

17
18 /s/ Sarah A. Dunne
19 SARAH A. DUNNE, WSBA #34869
20 ACLU OF WASHINGTON FOUNDATION
21 901 Fifth Avenue, Suite 630
Seattle, WA 98164
Tel: (206) 624-2184
E-mail: dunne@aclu-wa.org

/s/ Peter J. Phipps
PETER J. PHIPPS
BRYAN R. DIEDERICH
STEPHEN J. BUCKINGHAM
United States Department of Justice
Civil Division, Federal Programs Branch
Tel: (202) 616-8482
Fax: (202) 616-8470
E-mail: peter.phipps@usdoj.gov

22 *Attorneys for Plaintiff*

Mailing Address:
Post Office Box 883, Ben Franklin Station
Washington, D.C. 20044

Courier Address:
20 Massachusetts Ave., N.W.
Washington, D.C. 20001

Attorneys for Defendants